

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

WASHINGTON HARBOUR, SUITE 400

3050 K STREET, NW

WASHINGTON, D.C. 20007-5108

(202) 342-8400

ND-2012-25-C  
240775

FACSIMILE

(202) 342-8451

www.kelleydrye.com

NEW YORK, NY

CHICAGO, IL

STAMFORD, CT

PARSIPPANY, NJ

BRUSSELS, BELGIUM

AFFILIATE OFFICES

MUMBAI, INDIA

DIRECT LINE (202) 342-8614

EMAIL dsmith@kelleydrye.com

December 7, 2012

DEC 10 2012

PSC SC  
MAIL/DMS

**BY HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

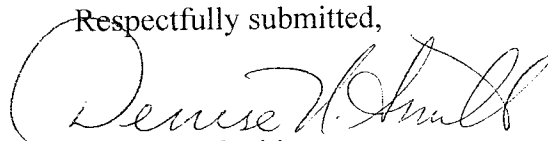
Re: XO Communications, LLC Section 63.71 Application

Dear Ms. Dortch:

On behalf of XO Communications, LLC, ("XO Communications") and pursuant to section 63.71 of the Federal Communications Commission rules, 47 C.F.R. § 63.71(a), enclosed please find an original and four copies of XO Communications' Section 63.71 Application for the discontinuance of selected domestic dial-up services.

Also enclosed is a duplicate of this filing. Kindly date-stamp the duplicate and return it to the courier.

Respectfully submitted,



Denise N. Smith

*Counsel to XO Communications, LLC*

Enclosures

In the Matter of )  
 )  
Section 63.71 Application of )  
XO Communications, LLC )

## SECTION 63.71 APPLICATION

XO Communications, LLC (“XO” or “Applicant”) hereby seeks authorization, pursuant to Section 214(a) of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Section 63.71 of the Commission’s rules, 47 C.F.R. § 63.71, to discontinue its provision of selected dial-up services (“Dial-Up Services”) to a limited number of customers. Specifically, XO is discontinuing the provision of the transmission component of the Dial-Up Services. The services to be discontinued currently are provided by XO’s operating subsidiary, XO Communications Services, LLC (“XOCS”). XO is a leading provider of local and long distance telecommunications services, interexchange access services, VoIP services, Internet access services and other information/enhanced services. XO is authorized by the Commission to provide both interstate and international telecommunications services. XOCS is authorized to provide intrastate telecommunications services in 49 states and the District of Columbia.<sup>1</sup>

The Applicant provides the following information pursuant to Section 63.71 of the Commission's Rules:

<sup>1</sup> XPCS does not operate in Nevada and Virginia, where XO provides service through two additional subsidiaries: XO Telecommunications of Nevada, LLC and XO Virginia, LLC, respectively.

1. Name and Address of Carrier: XO is located at 13865 Sunrise Valley Drive, Herndon, Virginia 20171-4661.

2. Date of Planned Service Discontinuance, Reduction or Impairment: The Applicant plans to discontinue the provision of its Dial-Up Services effective January 21, 2013. Applicant understands that this application will be automatically granted on the 31<sup>st</sup> day after public notice of filing unless the Commission notifies the Applicant to the contrary.

3. Points of Geographic Areas of Service Affected: XO proposes to discontinue the provision of its Dial-Up Services throughout its nationwide service territory.

4. Brief Description of Type of Service Affected: The XO Dial-Up Service offerings affected by this discontinuance are its Consumer Dial and Corporate Dial services. The Consumer Dial and Corporate Dial service offerings provide standalone dial up service in addition to e-mail service and, for Corporate Dial service, website services. XO operates as an internet service provider ("ISP") for these Dial-Up offerings, providing the transmission as well as the e-mail and web services. For each of the Dial-Up Services, XO will be discontinuing its provision of the transmission component of the service. For the Consumer Dial and Corporate Dial services, the information service component of the services will be migrated to a new platform.

XO is in the process of streamlining its product offerings. Accordingly, XO has decided to discontinue its Dial-Up Services to better focus on those services most requested by its customers. The proposed discontinuance of XO's Dial-Up Services will not harm the affected customers because there are other alternative dial-up service providers and technologically advanced services that perform essentially the same or better functions. Further, the affected

customers should easily be able to obtain alternative means to the transmission component from other ISPs as well as other telecommunications carriers.

5. Brief Description of the Dates and Methods of Notice to All Affected Customers:

In accordance with Section 63.71(a), during the week ending November 30, 2012, XO provided written notice, by first class mail or e-mail to its affected subscribers. Many of XO's affected customers are long-time subscribers and have elected to have their monthly service charges paid automatically by credit card or debit from a bank account. XO does not mail paper invoices to these subscribers. Instead all communications are conducted by e-mail. Due to the longstanding nature of these accounts and the subscribers' preference for automated payments and e-mail correspondence, XO does not have current physical mailing addresses for a small number of these subscribers. Accordingly, those subscribers, for whom XOCS does not have physical mailing addresses, were notified by e-mail of the impending discontinuance of the Applicants' Dial-Up services. XO believes these e-mailed notices satisfy the requirements of Section 63.71(a) that customers be provided with written notice of a discontinuance. To the extent a waiver of the Section 63.71(a) written notice requirement is necessary, XO hereby respectfully requests such waiver. A sample copy of the notices to customers is attached hereto as Attachment A.

6. Whether the Carrier is Considered Dominant or Non-Dominant with Respect to the Service to Be Discontinued, Reduced or Impaired: Applicant is considered non-dominant with respect to the affected services.

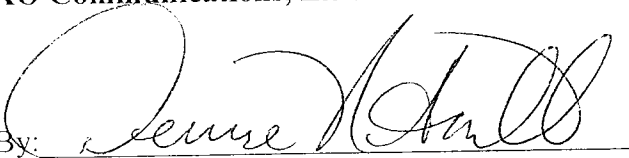
In accordance with Section 63.71 of the Commission's Rules and concurrent with the filing of this Application, a copy of this Application is being mailed to the Special Assistant for

Telecommunications for the Secretary of Defense, and the Governors and public utility commissions for the affected states.

Additional questions regarding this application may be addressed to the undersigned.

Respectfully submitted,

**XO Communications, LLC**

By: 

Brad E. Mutschelknaus

Denise N. Smith

Kelley Drye & Warren LLP

3050 K Street, NW – Suite 400

Washington, DC 20007

Tel: (202) 342-8400

E-Mail: [dsmith@kelleydrye.com](mailto:dsmith@kelleydrye.com)

Its Attorneys

Dated: December 7, 2012

## Attachment A

Concentric Cloud Solutions, LLC  
13865 Sunrise Valley Drive  
Herndon, VA 20171



November 28, 2012

John Q Sample  
123 Main St  
Anytown, US 12345-6789  
|||||BARCODE|||||

EFFECTIVE DATE: January 21, 2013

### IMPORTANT SERVICE-RELATED NOTICE – SECOND NOTIFICATION

Dear Valued Customer,

You are receiving this letter because you currently subscribe to Consumer Dial service, Corporate Dial service, or Web Hosting service with Dial option enabled ("Service" or "Services") from Concentric Cloud Solutions, LLC ("Concentric"). These Services are comprised of three components: (1) dial-up Internet connectivity; (2) e-mail; and (3) web hosting. The dial-up Internet connection component of your Service is provided by XO Communications Services, LLC ("XO"), an affiliate of Concentric. XO will be decommissioning the dial-up component of your Service on January 21, 2013. The purpose of this letter is to make you aware of this change and your service options.

If you do not currently use the dial-up component of the Service to access the Internet, you may continue to use the remaining components of your Service, including your Concentric email address(es). However, if you currently use the dial-up component of the Service to access the Internet, you will need to find a new Internet access provider by January 21, 2013 to avoid any disruption to the email and web hosting components of your Service.

The Federal Communications Commission will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, 445 12<sup>th</sup> Street, SW, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of XO Communications Services, LLC. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

As part of the Service changes, we will upgrade email and web hosting services beginning in early 2013 to enhance your user experience and to offer you additional features and functions such as a new user interface, integration with social media, mobile presence, support for WordPress and MS SQL, and GB's of email, website and bandwidth resources, just to name a few. Please look for additional communications in early 2013 for more information regarding these service upgrades.

If you have any questions regarding this important service announcement, or if you wish to discontinue your Service in its entirety, please contact Concentric customer service at (855) 227-2142 or [cloud-support@concentric.com](mailto:cloud-support@concentric.com). It's our pleasure to be able to serve you with cloud-based solutions that help you become more productive and help your business not only grow, but thrive. We look forward to a mutually satisfying relationship for many more years.

Sincerely,

Concentric Cloud Solutions

From: XO Product Team [mailto:[support@cnc.net](mailto:support@cnc.net)]  
Sent: Wednesday, November 28, 2012 10:35 AM  
To: [REDACTED]  
Subject: Important Notice Regarding support.cnc.net -- Second Notice

November 28, 2012  
EFFECTIVE DATE: January 21, 2013

## IMPORTANT SERVICE-RELATED NOTICE - SECOND NOTIFICATION

Dear Valued Customer,

You are receiving this letter because you currently subscribe to Consumer Dial service, Corporate Dial service, or Web Hosting service with Dial option enabled ("Service" or "Services") from Concentric Cloud Solutions, LLC ("Concentric"). These Services are comprised of three components: (1) dial-up Internet connectivity; (2) e-mail; and (3) web hosting. The dial-up Internet connection component of your Service is provided by XO Communications Services, LLC ("XO"), an affiliate of Concentric. XO will be decommissioning the dial-up component of your Service on January 21, 2013. The purpose of this letter is to make you aware of this change and your service options.

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If you have any questions regarding this important service announcement, or if you wish to discontinue your Service in its entirety, please contact Concentric customer service at (855) 227-2142 or [cloud-support@concentric.com](mailto:cloud-support@concentric.com). It's our pleasure to be able to serve you with cloud-based solutions that help you become more productive and help your business not only grow, but thrive. We look forward to a mutually satisfying relationship for many more years.


Sincerely,

Concentric Cloud Solutions



## CERTIFICATE OF SERVICE

I hereby certify that the foregoing Section 63.71 Application was served this 7th day of December, 2012, by mailing true and correct copies thereof, postage prepaid, to the following persons at the addresses listed below.



Denise N. Smith

Secretary of Defense  
Attn: Special Assistant for  
Telecommunications  
Pentagon  
Washington, D.C. 20301

Alabama  
Office of Governor Robert Bentley  
State Capitol  
600 Dexter Avenue  
Montgomery, AL 36130

Walter Thomas, Secretary  
Alabama Public Service Commission  
100 North Union Street, Suite 850  
Montgomery, AL 36104-3702

Arizona  
Office of Governor Jan Brewer  
State Capitol  
1700 West Washington  
Phoenix, AZ 85007

Mr. Ernest G. Johnson  
Executive Director  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

California  
Office of Governor Edmund Brown  
State Capitol  
Sacramento, CA 95814

Mr. John M. Leutza  
Director, Telecommunications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Connecticut  
Office of Governor Dan Malloy  
210 Capitol Avenue  
Hartford, CT 06106  
Ms. Kimberley J. Santopietro  
Executive Secretary  
Connecticut Department of Public Utilities  
10 Franklin Square  
New Britain, CT 06051

Colorado  
Office of Governor John Hickenlooper  
136 State Capitol  
Denver, CO 80203-1792

Mr. Doug Dean  
Director  
Colorado Public Utilities Commission  
1560 Broadway, Suite 250  
Denver, CO 80202

Delaware  
Office of Governor Jack Markell  
Legislative Hall  
Dover, DE 19901

Secretary  
Delaware Public Service commission  
861 Silver Lake Blvd., Suite 100  
Dover, DE 19904

District of Columbia  
Office of Mayor Vincent Gray  
1350 Pennsylvania Avenue, NW, Suite 316  
Washington, DC 20004

Ms. Brinda Westbrook - Sedgwick  
Commission Secretary  
District of Columbia Public Service  
Commission  
1333 H Street, NW  
2nd Floor West Tower  
Washington, DC 20005

Florida  
Office of Governor Rick Scott  
PL 05 The Capitol  
400 South Monroe Street  
Tallahassee, FL 32399-0001  
Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

Georgia  
Office of Governor Nathan Deal  
203 State Capitol  
Atlanta, GA 30334

Mr. Reece McAlister  
Executive Secretary  
Georgia Public Service Commission  
244 Washington Street  
Atlanta, GA 30334

The Honorable Neil Abercrombie  
Governor, State of Hawai'i  
Executive Chambers, State Capitol  
Honolulu, Hawai'i 96813

Ms. Eleanor Tuiasosopo  
Chief Clerk  
Hawaii Public Utilities Commission  
465 South King Street, Room 103  
Honolulu, HI 96813

Idaho  
Office of Governor C.L "Butch" Otter  
700 West Jefferson  
Second Floor  
Boise, ID 83702

Ms. Jean Jewell  
Commission Secretary  
Idaho Public Utilities Commission  
472 West Washington Street  
Boise, ID 83702

Illinois  
Office of Governor Pat Quinn  
State Capitol  
207 Statehouse  
Springfield, IL 62706

Ms. Elizabeth A. Rolando  
Chief Clerk  
Illinois Commerce Commission  
527 E. Capitol Avenue, 8th Floor  
Springfield, IL 62701

Indiana  
Office of Governor Mitch Daniels  
State House  
Room 206  
Indianapolis, IN 46204-2797

Indiana Utility Regulatory Commission  
Communications Division  
PNC Center  
101 West Washington Street  
Suite 1500 East  
Indianapolis, IN 46204

Iowa  
Office of Governor Terry Branstad  
State Capitol  
Des Moines, IA 50319-0001  
Ms. Joan Conrad  
Executive Secretary  
Iowa Utilities Board  
1375 E. Court Avenue, Room 69  
Des Moines, IA 50319

Kansas  
Office of Governor Sam Brownback  
Capitol  
300 SW 10<sup>th</sup> Avenue, Suite 2125  
Topeka, KS 66612-1590

Ms. Patti Peterson-Klein  
Executive Director  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Kentucky  
Office of Governor Steven L. Beshear  
700 Capitol Avenue, Suite 100  
Frankfort, KY 40601

Mr. Jeff R. Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

Louisiana  
Office of Governor Bobby Jindal  
Frankfort, KY 40601

Eve Kahao Gonzalez  
Secretary  
Louisiana Public Service Commission  
602 North 5<sup>th</sup> Street  
Baton Rouge, LA 70802

Maine  
Office of Governor Paul LePage  
#1 State House Station  
Augusta, ME 04333

Ms. Karen Geraghty  
Administrative Director  
Maine Public Utilities Commission  
101 Second Street  
Hallowell, ME 04347

Maryland  
Office of Governor Martin O'Malley  
State House  
100 State Circle  
Annapolis, MD 21401

Ms. Terry J. Romine  
Executive Secretary  
Maryland Public Service Commission  
William Donald Schaeffer Tower  
6 St. Paul Street  
Baltimore, MD 21202

Massachusetts  
Office of Governor Deval Patrick  
State House  
Office of the Governor, Room 360  
Boston, MA 02133  
Catrice Williams  
Secretary  
Massachusetts Department of  
Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118

Michigan  
Office of Governor Rick Snyder  
P.O. Box 30013  
Lansing, MI 48909

Mary Jo Kunkle  
Executive Secretary  
Michigan Public Service Commission  
6545 Mercantile Way, Suite 7  
Lansing, MI 48911

Minnesota  
Office of Governor Mark Dayton  
130 State Capitol  
75 Rev. Dr. Martin Luther King, Jr.  
Boulevard  
St. Paul, MN 55155

Burl Haar  
Executive Secretary  
Minnesota Public Service Commission  
121 7th Place East, Suite 350  
St. Paul, MN 55101

Mississippi  
Office of Governor Haley Barbour  
P.O. Box 139  
Jackson, MS 39205

Mr. Brian U. Ray  
Executive Secretary  
Mississippi Public Service Commission  
P.O. Box 1174  
Jackson, MS 39215-1174

Missouri  
Office of Governor Jeremiah W. (Jay)  
Nixon  
Capitol Building  
Room 218, P.O. Box 720  
Jefferson City, MO 65102

Steven C. Reed  
Secretary  
Missouri Public Service Commission  
200 Madison Street  
Jefferson City, MO 65102-0306

Montana  
Office of Governor Brian Schweitzer  
State Capitol  
Helena, MT 59620-0801

Verna Stewart  
Commission Secretary  
Montana Public Service Commission  
1701 Prospect Avenue  
PO Box 202601  
Helena, MT 59620-2601

Nebraska  
Office of Governor Dave Heineman  
PO Box 94848  
Lincoln, NE 68509-4848

Mike Hybl  
Executive Director  
Nebraska Public Service Commission  
1200 N Street, Suite 300  
Lincoln, NE 68508

Nevada  
Office of Governor Brian Sandoval  
Capitol Building  
Carson City, NV 89701

Ms. Donna Skau  
Commission Secretary  
Nevada Public Utilities Commission  
1150 East William Street  
Carson City, Nevada 89701  
New Hampshire  
Office of Governor John Lynch  
Office of the Governor  
25 Capitol Street, Room 212  
Concord, NH 03301

Debra A. Howland  
Executive Director and Secretary  
New Hampshire Public Utilities  
Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

New Jersey  
Office of Governor Chris Christie  
The State House  
P.O. Box 001  
Trenton, NJ 08625

Ms. Kristi Izzo  
Secretary  
New Jersey Board of Public Utilities  
Two Gateway Center  
Suite 801  
Newark, New Jersey 07102

New Mexico  
Office of Governor Susana Martinez  
State Capitol  
Fourth Floor  
Santa Fe, NM 87501

Regina Padilla  
Secretary, Telecommunications Bureau  
New Mexico Public Regulation Commission  
P.E.R.a. Building  
1120 Paseo De Peralta  
Santa Fe, NM 87501

New York  
Office of Governor Andrew Cuomo  
State Capitol  
Albany, NY 12224

Ms. Jaclyn Brilling, Secretary  
New York Public Service Commission  
Three Empire State Plaza  
Albany, New York 12223-1350

North Carolina  
Office of Governor Beverly Perdue  
Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

Ms. Renne Vance  
Chief Clerk  
North Carolina Utilities Commission  
430 North Salisbury Street  
Raleigh, NC 27603-5918

Ohio  
Office of Governor John Kasich  
30th Floor  
77 South High Street  
Columbus, OH 43215

Ms. Renee Jenkins  
Secretary  
Public Utilities Commission of Ohio  
180 E. Broad St.  
Columbus, OH 43215

Oklahoma  
Office of Governor Mary Fallin  
Capitol Building  
2300 Lincoln Blvd., Room 212  
Oklahoma City, OK 73105

Ms. Peggy Mitchell  
Secretary  
Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, OK 73152

Oregon  
Office of Governor John Kitzhaber  
State Capitol, Room 160  
900 Court St. N.  
Salem, OR 97301

Ms. Becky Beier  
Executive Secretary  
Oregon Public Utilities Commission  
550 Capitol St NE #215  
P.O. Box 2148  
Salem, OR 97308-2148

Pennsylvania  
Office of Governor Tom Corbett  
Room 225  
Main Capitol Building  
Harrisburg, PA 17120

Ms. Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Rhode Island  
Office of Governor Lincoln Chafee  
State House  
Providence, RI 02903

Ms. Luly Massaro, Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

South Carolina  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, SC 29201

Jocelyn Boyd  
Executive Director  
South Carolina Public Service Commission  
PO Drawer 11649  
Columbia, SC 29211

Tennessee  
Office of Governor Bill Haslam  
Tennessee State Capitol  
Nashville, TN 37243-0001

Ms. Sharla Dillon  
Dockets & Records  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

Texas  
Office of Governor Rick Perry  
P.O. Box 12428  
Austin, TX 78711

James Galloway  
Central Records Clerk  
Texas Public Utilities Commission  
1701 N. Congress Avenue  
PO Box 13326  
Austin, TX 78701

Utah  
Office of Governor Gary R. Herbert  
Utah State Capitol  
Suite 200  
Salt Lake City, UT 84114

Ms. Julie Orchard  
Commission Secretary  
Utah Public Service Commission  
160 East 300 South, 4th Floor  
Salt Lake City, UT 84114

Vermont  
Office of Governor Peter Shumlin  
109 State Street  
Pavilion Office Building  
Montpelier, VT 05609

Ms. Susan M. Hudson  
Clerk of the Board  
Vermont Public Service Board  
112 State Street, Drawer 20  
Montpelier, Vermont 05620-2701